

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JUNE 3, 2015 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,
Utah 84078.

PRESENT: Councilmember Dave Everett, JoAnn Cowan, Samantha Scott, Ted Munford, Bert Clark and Mayor Sonja Norton.

WELCOME: Mayor Sonja Norton welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: An invocation was given by Councilmember Bert Clark.

PLEDGE OF ALLEGIANCE: The pledge of Allegiance was led by Councilmember Samantha Scott.

APPROVAL OF MINUTES OF THE SPECIAL WORKSHOP MEETING FOR MAY 20, 2015: *Councilmember Ted Munford moved to approve the minutes of the special budget workshop meeting held May 20, 2015. Councilmember JoAnn Cowan seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott, and Clark voting in favor for a unanimous vote.*

APPROVAL OF MINUTES OF THE REGULAR MEETING FOR MAY 20, 2015: *Councilmember JoAnn Cowan moved to approve the minutes of the regular May 20, 2015 Council meeting. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott, and Clark voting in favor for a unanimous vote.*

REQUEST FOR SPONSORSHIP OF HONOR FLIGHT – RICK HAWKINS: Rick Hawkins, representing the Utah Honor Flight, explained that he became involved with this program approximately two-years ago, and finally took the trip with his father. This program provides travel and tours for World War II veterans back to Washington DC to visit the war memorials and thank them for their service. The veterans board a plane and stay three days and two nights in the Washington DC area. Each veteran must have a guardian, not a spouse, to travel with them to help them get around, and all the details for the trip are taken care of and paid for by the Honor Flight organization. He asked the Council to consider providing financial support to send veterans from the area on this trip. Councilmember Clark asked if they view all the memorials. Rick Hawkins stated it is a busy trip starting at 8 am with a break for lunch, then more memorials. The only memorial they were not able to view was the Korean conflict memorial. Councilmember Clark asked how many trips are planned from Utah. Rick Hawkins explained that they do as many trips as they can receive funding for. The Honor Flight has their own wheel chairs and buses with lifts as well as hosting a banquet for the veterans. He noted this is a nation-wide organization. Councilmember Cowan asked how many veterans in the tri-county area have not been on this trip. Rick Hawkins guessed there were 75 to 100 veterans left to take this trip. Councilmember Cowan asked what the cost is to send one person. Rick Hawkins stated the cost for him as a chaperone was \$900. Councilmember Munford asked if he was looking for sponsorship for this year and on-going. Rick Hawkins stated they will continue

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to do fund raisers as long as there are veterans willing to go. He stated that Uintah County donated \$5000, and Naples City has not been approached yet. There was some discussion regarding additional fund raising efforts. *After further discussion, Councilmember Ted Munford moved to match the County's contribution of \$5,000 for this program. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Cowan.....aye;
Councilmember Everettaye;
Councilmember Scott.....aye;
Councilmember Clark.....aye.

Mayor Norton voiced her thanks to the veterans for their service.

REQUEST FOR SPONSORSHIP OF CAR RACES – ALLEN HACKING: Allen Hacking, representing the Western States Car Association, explained to the Council that this car race brings visitors from all over the United States. So far seventy-five cars have signed up to race from Oklahoma, Tennessee, California and local competitors. Uintah County is sponsoring the event in the amount of \$15,000 with the visitors expected to bring in tax revenue. He apologized for the late notice to request sponsorship for this event which is scheduled for this next weekend. He stated that Vernal is a centralized place for this race, and once a national event is approved for an area, it is easier to get another one. The event is put on mostly by volunteers. Councilmember Munford asked if this is a for-profit venture. Allen Hacking stated it is a non-profit organization, and this is the first national event held in Uintah County. Councilmember Cowan asked how much money he is asking for. Allen Hacking requested \$1500. Ken Bassett stated that certain events such as rock crawling or car racing have quite a bit of liability exposure with them, and it may be better if the Council helps pay for the banquet. Allen Hacking stated that the County requires a \$2 million dollar liability policy for the use of Buckskin Hills. *Councilmember JoAnn Cowan moved to help sponsor the banquet for the Western States car race in the amount of \$1500. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Cowan.....aye;
Councilmember Everettaye;
Councilmember Scott.....aye;
Councilmember Clark.....aye.

REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY GENERAL PLAN & FUTURE LAND USE MAP (2ND READING) – ORDINANCE NO. 2015-04: Allen Parker presented the general plan future land use map for the Council's consideration and reminded the Council that a public hearing was held in May. He explained that this map gives general guidance for long range plans of how the community should grow, particularly for rezoning property. Councilmember Cowan voiced her concern regarding the

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potential development of commercial uses on the corner of 500 South and 500 West. She thought the neighboring homeowners would lose value in their properties with a MacDonald or convenience store on the corner. Allen Parker explained that the pink dot on that intersection indicates potential commercial use, and the property owners could apply to rezone the property, and notices would be sent to the neighbors to attend the public hearings before the Planning Commission and Council. During the rezone process, the Council can limit the kind of businesses allowed with a development agreement. Councilmember JoAnn Cowan clarified that the Council can limit what could be there. Allen Parker answered yes, with a development agreement, so the type of business allowed would be restricted rather than whatever is permitted in that commercial zone. Mayor Norton noted that the current map has the central commercial zone with high density residential next to it, and this map is not set up that way. Allen Parker explained this is a new concept for transitionary zones to harmonize mixed use areas. Mayor Norton asked if this would allow mom and pop shops in residential areas similar to the Day Break development in Salt Lake City. Allen Parker answered yes. Ken Bassett asked for a definition of mixed use. Allen Parker stated a mixed use would combine different uses like small retail with apartments and office space so people work and live in the same neighborhood. Councilmember Clark asked if someone has two parcels, could they have a convenience store next to high density. Allen Parker stated the Council could consider it. Councilmember Clark asked if commercial could be developed in the institutional area surrounding the college. Allen Parker stated most of that property is in the County, however, the Council could consider it on a case- by-case basis to consider if it is harmonious. There was some discussion regarding the property immediately outside the mixed use areas. Councilmember Cowan questioned why the area around 200 North to 500 East is marked high density. Allen Parker noted that area is mostly zoned R-3 to R-4 zone which allows high density. Councilmember Munford stated that in the future it makes sense to have high density between low density housing and commercial uses. Allen Parker stated the Planning Commission really had to look at that area as well and thought if any of that area is redeveloped, it would look a lot different than now. Mayor Norton stated from a City standpoint, property close to Main Street eventually could become commercial, and it makes sense to transition from central commercial, to high density, to low density.

Nick Richens, 2763 South 1500 West, explained that his idea is to build a residential looking office building on the corner of 500 South and 500 West along with nice homes like what is already there. The plan was pitched to the Planning Commission, and they indicated it would not be allowed now, but to be patient. He stated he would welcome an agreement with the City to rezone and develop this property. Councilmember Bert Clark asked how large this parcel is. Nick Richens stated it is six acres. Councilmember Cowan stated that the neighbors need to have a voice and see what is being proposed. Councilmember Munford asked what businesses could move in if businesses move out. Mayor Norton stated that is where the development agreement comes in. Allen Parker stated that the property is currently zoned high density. Nick Richens stated he asked for the commercial dot in that area on the map. Mr. Richens presented a preliminary plan to the Council. Jed Labrum, 792 W 400 South, stated he did not live far from this property and is glad to see the Council taking a gate keeping role for the neighbors. He stated that the development contract can specify the type of materials, square footage, tenants, etc. with the goal to have

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something that blends with the neighborhood. Allen Parker agreed and noted that the penalty for violating the agreement is the property reverts back to the original zone. There was some discussion regarding landscaping. Mayor Norton explained that the zone controls the landscaping, Councilmember Clark stated he would like more time to look over this map. Mayor Norton stated there was a lot more public input last time the general plan was updated. Allen Parker stated public input was requested when the entire general plan was updated with a consultant. Mayor Norton stated that more effort should be taken to receive public comment. Councilmember Everett stated that this map will affect the community, and it needs to be understood that it is not absolute and can be amended. *Councilmember Samantha Scott moved to approve Ordinance No. 2015-04 amending the general plan map. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Cowan.....aye;
Councilmember Everettaye;
Councilmember Scott.....aye;
Councilmember Clark.....nay.

PUBLIC HEARING: FY2016 BUDGET: Ken Bassett reminded the Council that budget workshops were held, and changes from those meetings have been made to the proposed budget. He asked the Council to review the sales tax report for March which shows a 19% decrease from last year. If the next report shows significant decreases, the revenue for next budget will need to be adjusted down. Mayor Norton opened the public hearing for the FY2016 budget. There were no public comments, and the public hearing was closed. Ken Bassett stated that the lack of interest in the budget also shows in the lack of interest in the upcoming election. There are three positions, and only two citizens have filed. Councilmember Munford asked what happens if there are not enough candidates. Ken Bassett stated a candidate can file as a write-in, although they are not shown on the ballot. If there are still not enough candidates, the Council will appoint a new member.

REQUEST TO AMEND VERNAL CITY MUNICIPAL CODE – SECTION 5.60 – RESIDENTIAL SOLICITATION – ORDINANCE NO. 2015-12: Ken Bassett explained that the City Attorney is asking the Council to revise the door-to-door solicitation code with Ordinance No. 2015-12 as presented to make sure there is no violation of constitutional rights. One major change is to require the applicant for a license to submit their criminal background as part of the application process. The application is not considered complete until the BCI background is turned in, including from States where they lived for more than 30 days for the last ten years. If a completed application is submitted with no disqualifying issues, a temporary license is given to the applicant to operate for 25 days. If a regular license is issued, it must be renewed every six months. The courts are saying local governments must give the opportunity to salesmen to go door-to-door. *Councilmember Dave Everett moved to approve Ordinance No. 2015-12. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;

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Councilmember Cowan.....aye;
Councilmember Everettaye;
Councilmember Scott.....aye;
Councilmember Clark.....aye.

SET PROPERTY TAX RATE – ORDINANCE NO. 2015-13: Ken Bassett explained that the Council is required to set the property tax rate. The certified rate is the tax rate allowed by State law to generate as much property tax revenue as received the previous year and no more, excepting for new growth. If more tax needs to be generated, a truth-in-taxation hearing must be held. The certified rate this year is actually lower going from .000619 to .000597. Another item to remember is the agreement with the commercial development center, where the developer gets 75% of the increased property tax back. *Councilmember Bert Clark moved to approve the certified tax rate of .000597, Resolution No. 2015-13. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Cowan.....aye;
Councilmember Everettaye;
Councilmember Scott.....aye;
Councilmember Clark.....aye.

ADMINISTRATIVE REPORTS:

North Vernal Avenue water line project:

Councilmember Clark asked for an update on this project. Ken Bassett stated that the water line has been replaced, and the roadway will be repaved once the weather allows.

Land Use Training:

Allen Parker reminded the Council that there is a land use training at the County. Councilmember Everett stated he is attending, and Councilmember Scott asked Mr. Parker to add her to the list.

ADJOURN: There being no further business, *Councilmember Ted Munford moved to adjourn. Councilmember JoAnn Cowan seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.*

ATTEST:

Mayor Sonja Norton

Roxanne Behunin, Deputy Recorder

(S E A L)